

**DEPARTMENT OF HEALTH SERVICES**

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CMSP Letter No.: 99-15  
Issue Date: September 28, 1999

TO All County Medical Services Program County Welfare Directors

SUBJECT: Changes to County Medical Services Program Eligibility Manual: Retroactive Eligibility

The purpose of this letter is to transmit recent changes to County Medical Services Program (CMSP) eligibility rules. On August 25, 1999, the CMSP Governing Board's Eligibility Committee recommended to the CMSP Governing Board to expand the one-month period of CMSP retroactive eligibility to three months. On September 23, 1999, the CMSP Governing Board approved the recommendation and authorized the retroactive period of eligibility to be increased to three months prior to the month of application. The effective date of this change is January 1, 2000.

Any applicant or beneficiary requesting a retroactive month of eligibility on or after January 1, 2000, will be allowed to request retroactive eligibility for any month up to three months prior to the application month. Additionally, retro-spend down will be allowed for each of the three months as needed.

Enclosed with this letter is a revision to the CMSP Eligibility Manual Section 11-012 (Retroactive Eligibility) which incorporates this change. Please make sufficient copies of the revised pages to distribute to your staff who maintain the CMSP Eligibility Manual.

Filing Instructions

Remove Pages

1-1, 11-2

Insert Pages

11-2, 11-2

If you have any questions concerning these changes, please direct them to Mr. Gary Varner, in the CMSP Unit, at (916) 322-1613.

Linda McFarland, Chief  
County Medical Services Program

Enclosure

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## CMSP ELIGIBILITY MANUAL

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### Article 11 Period of Eligibility

#### 11-010. Beginning Date of Eligibility

The county department shall determine the beginning date of eligibility as follows:

- (a) The beginning date of eligibility for persons applying for CMSP, and whose eligibility has not yet been determined, shall be either:

The first day of the month of application, if all eligibility requirements are met.

The first day of the month, subsequent to the month of application, during which the eligibility requirements of the CMSP are met.

- (b) For the purposes of (a), eligibility criteria are considered to be met throughout the month if they are met at anytime during the month.

#### 11-011. Period of Eligibility

The county department shall determine the period of eligibility as follows:

- (a) For persons eligible for CMSP the period of eligibility shall begin with the date specified in Section 11-010 (a) and shall continue through each successive month during which the beneficiary meets all of the following conditions:

- (1) Has cooperated with the county department to the extent required by Section 3-035 and 3-037.

- (2) Has met the property requirements specified in Article 7 at some time during the month.

- (3) Has met citizenship, residence and institutional status requirements at some time during the month.

- (b) The period of eligibility shall be modified for any portion of a month in which a person is ineligible due to institutional status.

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## CMSP ELIGIBILITY MANUAL

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A final date of eligibility shall be established when the county department determines that the person or family no longer meets all eligibility requirements as of the first day of the following month provided that a ten day notice can be given.

### 11-012. Retroactive Eligibility

A request for retroactive eligibility shall be made in accordance with Section 3-015 and shall be treated as any other application. In addition to the month of eligibility specified in Section 11-011, an applicant shall be eligible for the three months immediately preceding the month of application or reapplication if all of the following requirements are met in that month:

The county department determines that the applicant would have been eligible, had an application been made.

The applicant received program covered services.

The applicant was not previously denied CMSP for the month in question, unless the application was denied for one of the following reasons:

- (1) County error.
- (2) The applicant's failure to cooperate when that failure, or the applicant's subsequent failure to reapply, was due to circumstances beyond the control of the applicant.

### 11-013. Retroactive Medi-Cal Eligibility

A CMSP beneficiary may be determined eligible for Medi-Cal retroactively if determined either as an MN beneficiary based on blindness or disability, or as a PA or Other PA beneficiary retroactive to the date of CMSP eligibility.

Revision Date: 1-1-00

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